

ASSEMBLY BILL

No. 87

Introduced by Assembly Member Blakeslee

December 13, 2006

An act to amend Section 25240 of, and to add Section 25244 to, the Business and Professions Code, relating to alcoholic beverages.

LEGISLATIVE COUNSEL'S DIGEST

AB 87, as introduced, Blakeslee. Alcoholic beverages: California county wine.

Under existing law, the Department of Alcoholic Beverage Control regulates the licensing, enforcement, and administration of the alcoholic beverage control laws. Existing law requires any wine labeled with a viticultural area appellation of origin established pursuant to federal law, other than the viticultural area “Napa Valley,” that is located entirely within the County of Napa to bear the designation “Napa Valley” on the label in conjunction with the area designation of the wine, as specified.

This bill would declare the intent of Legislature to protect the Paso Robles wine-growing area and prevent confusion among consumers.

This bill would provide that any wine labeled with a viticultural area appellation of origin established pursuant to federal law when the appellation includes the term “Napa Valley” does not need to bear the additional designation of “Napa Valley.”

This bill also would require any wine labeled with a viticultural area appellation of origin established pursuant to federal law, other than the viticultural area “Paso Robles,” that is located entirely within the “Paso Robles” viticultural area name to bear the designation “Paso Robles” on the label in conjunction with the area designation of wine. This bill

would provide that any wine labeled with a viticultural area appellation of origin established pursuant to federal law when the appellation includes the term “Paso Robles” does not need to bear the additional designation of “Paso Robles.”

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. The Legislature finds and declares all of the
2 following:

3 (a) That wine produced in Paso Robles from grapes grown in
4 the Paso Robles region has national and international recognition.

5 (b) That Paso Robles was designated a viticultural area in 1983
6 by the federal government, and that designation authorizes growers
7 and vintners, whose wine is derived from at least 85 percent of
8 grapes grown in the Paso Robles region, to label their wines as
9 Paso Robles wines.

10 (c) California’s Central Coast is geologically different from
11 other California wine growing regions. The proximity of the Pacific
12 Ocean, orientation of numerous canyons and valleys, and varying
13 elevations produce many different distinct microclimates, including
14 the largest variation between high daytime and low nighttime
15 temperatures of any region in California because of the cool marine
16 air that flows east through the Templeton Gap and south along the
17 Salinas River Valley from the Monterey Bay.

18 (d) Since the early 1990s, Paso Robles wines have proven
19 consistent gold medal winners and have been featured regularly
20 in the top rankings of national and international wine reviews. A
21 milestone in the worldwide recognition of Paso Robles as a premier
22 wine region came in 1997 when a local product was named one
23 of the top 10 wines in the world by the Wine Spectator.

24 (e) In the last eight years, the number of wineries in the Paso
25 Robles wine country has tripled from 50 to 170, mostly due to an
26 increase of boutique and small family owned vineyards and

1 wineries. The appellation's burgeoning reputation has also lured
2 a number of winemakers from France, Australia, South Africa,
3 and Switzerland who are eager to find new applications for their
4 wine-making skills.

5 (f) The likely proliferation of smaller, separate viticultural area
6 designations, while highly desirable within the developing Paso
7 Robles region, has the potential of diminishing the historical,
8 agricultural, and economic importance of the Paso Robles
9 wine-growing area and confusing consumers.

10 (g) Thus, it is necessary to require wines produced within the
11 boundaries of the existing Paso Robles appellation to be labeled
12 as being derived from that region, if the wine label indicates that
13 they are produced within a separate viticultural area within Paso
14 Robles wine country, to preserve consumer identification and
15 understanding of the name "Paso Robles" and to protect this
16 important state agricultural resource and wine products derived
17 from that area.

18 SEC. 2. Section 25240 of the Business and Professions Code
19 is amended to read:

20 25240. (a) Any wine labeled with a viticultural area appellation
21 of origin established pursuant to Part 9 (commencing with Section
22 9.1) of Title 27 of the Code of Federal Regulations, other than the
23 viticultural area "Napa Valley," and which is located entirely within
24 a county of the 29th class, shall bear the designation "Napa Valley"
25 on the label in direct conjunction therewith in a type size not
26 smaller than 1mm less than that of the viticultural area designation
27 provided neither designation is smaller than 2mm on containers
28 of more than 187ml or smaller than 1mm on containers of 187ml
29 or less. This requirement shall apply to all wines bottled on or after
30 January 1, 1990.

31 ~~The~~

32 (b) *The* department may suspend or revoke the license of any
33 person who violates this section.

34 (c) *This section shall not apply to any wine labeled with a*
35 *viticultural area appellation of origin established pursuant to Part*
36 *9 (commencing with Section 9.1) of Title 27 of the Code of Federal*
37 *Regulations when the name of the appellation includes the term*
38 *"Napa Valley."*

39 SEC. 3. Section 25244 is added to the Business and Professions
40 Code, to read:

1 25244. (a) Any wine labeled with a viticultural area appellation
2 of origin established pursuant to Part 9 (commencing with Section
3 9.1) of Title 27 of the Code of Federal Regulations that is located
4 entirely within the “Paso Robles” viticultural area shall bear the
5 designation “Paso Robles” on the label in direct conjunction
6 therewith in a type size not smaller than 1mm less than that of said
7 viticultural area designation, provided neither designation is smaller
8 than 2mm on containers of more than 187ml or smaller than 1mm
9 on containers of 187ml or less.

10 (b) The department may suspend or revoke the license of any
11 person who violates this section.

12 (c) This section shall not apply to any wine labeled with a
13 viticultural area appellation of origin established pursuant to Part
14 9 (commencing with Section 9.1) of Title 27 of the Code of Federal
15 Regulations when the name of the appellation includes the term
16 “Paso Robles.”

17 (d) This section applies only to wine that is bottled on or after
18 January 1, 2008.

19 SEC. 4. No reimbursement is required by this act pursuant to
20 Section 6 of Article XIII B of the California Constitution because
21 the only costs that may be incurred by a local agency or school
22 district will be incurred because this act creates a new crime or
23 infraction, eliminates a crime or infraction, or changes the penalty
24 for a crime or infraction, within the meaning of Section 17556 of
25 the Government Code, or changes the definition of a crime within
26 the meaning of Section 6 of Article XIII B of the California
27 Constitution.